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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/494,954	02/01/2000	Roger A. McCurdy	TRW(TE)4170	4158

7590 11/19/2001

Tarolli Sundheim Covell Tummino & Szabo LLP
1111 Leader Building
526 Superior Avenue
Cleveland, OH 44114-1400

EXAMINER

LUM, LEE S

ART UNIT

PAPER NUMBER

3611

DATE MAILED: 11/19/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 09/494,954	Applicant(s) McCurdy, Roger
	Examiner Lum, Lee S.	Art Unit 3611
		
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>		
<p>THE REPLY FILED <u>Nov 8, 2001</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid the abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.</p>		
THE PERIOD FOR REPLY [check only a) or b)]		
<p>a) <input checked="" type="checkbox"/> The period for reply expires <u>three</u> months from the mailing date of the final rejection.</p>		
<p>b) <input type="checkbox"/> In view of the early submission of the proposed reply (within two months as set forth in MPEP § 706.07 (f)), the period for reply expires on the mailing date of this Advisory Action, OR continues to run from the mailing date of the final rejection, whichever is later. In no event, however, will the statutory period for the reply expire later than SIX MONTHS from the mailing date of the final rejection.</p>		
<p>Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</p>		
<p>1. <input type="checkbox"/> A Notice of Appeal was filed on _____ . Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.</p>		
<p>2. <input type="checkbox"/> The proposed amendment(s) will be entered upon the timely submission of a Notice of Appeal and Appeal Brief with requisite fees.</p>		
<p>3. <input type="checkbox"/> The proposed amendment(s) will not be entered because:</p>		
<p>(a) <input type="checkbox"/> they raise new issues that would require further consideration and/or search. (See NOTE below);</p>		
<p>(b) <input type="checkbox"/> they raise the issue of new matter. (See NOTE below);</p>		
<p>(c) <input type="checkbox"/> they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or</p>		
<p>(d) <input type="checkbox"/> they present additional claims without cancelling a corresponding number of finally rejected claims.</p>		
<p>NOTE: _____</p>		
<p>4. <input type="checkbox"/> Applicant's reply has overcome the following rejection(s): _____ _____</p>		
<p>5. <input type="checkbox"/> Newly proposed or amended claim(s) _____ would be allowable if submitted in separate, timely filed amendment cancelling the non-allowable claim(s).</p>		
<p>6. <input checked="" type="checkbox"/> The a) <input type="checkbox"/> affidavit, b) <input type="checkbox"/> exhibit, or c) <input checked="" type="checkbox"/> Request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>Breed 5684701 and Thompson 6020812 clearly disclose the recited elements.</u> _____</p>		
<p>7. <input type="checkbox"/> The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.</p>		
<p>8. <input checked="" type="checkbox"/> For purposes of Appeal, the status of the claim(s) is as follows (see attached written explanation, if any): Claim(s) allowed: _____ Claim(s) objected to: _____ Claim(s) rejected: <u>1-22</u> _____</p>		
<p>9. <input type="checkbox"/> The proposed drawing correction filed on _____ a) <input type="checkbox"/> has b) <input type="checkbox"/> has not been approved by the Examiner.</p>		
<p>10. <input type="checkbox"/> Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ </p>		
<p>11. <input type="checkbox"/> Other:</p>		
<p>J. J. SWANN SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3600</p>		